

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

MICHAEL ROTHSTEIN and  
ROMAINE ROTHSTEIN,

3:14-CV-1102-PK

Plaintiffs,

ORDER

v.

BAYVIEW LOAN SERVICING, LLC, a  
Delaware limited liability  
corporation,

Defendant.

BROWN, Judge.

Magistrate Judge Paul Papak issued Findings and Recommendation (#21) on January 9, 2015, in which he recommends the Court grant Defendant's Motion (#16) to Dismiss Plaintiff's breach-of-contract and negligent misrepresentation claims for failure to state a claim upon which relief can be granted. The

matter is now before this Court pursuant to 28 U.S.C.

§ 636(b)(1)(B) and Federal Rule of Civil Procedure 72(b).

Because no objections to the Magistrate Judge's Findings and Recommendation were timely filed, this Court is relieved of its obligation to review the record *de novo*. See *Dawson v. Marshall*, 561 F.3d 930, 932 (9th Cir. 2009). See also *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003)(*en banc*). Having reviewed the legal principles *de novo*, the Court does not find any error.

#### **CONCLUSION**

The Court **ADOPTS** Magistrate Judge Papak's Findings and Recommendation (#21). Accordingly, the Court **GRANTS** Defendant's Motion (#16) to Dismiss with prejudice Plaintiff's common-law claims of breach of contract and negligent misrepresentation.

IT IS SO ORDERED.

DATED this 10<sup>th</sup> day of March, 2015.

/s/ Anna J. Brown

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ANNA J. BROWN  
United States District Judge